

03-10-02

TRANSMITTAL FORM	Application Serial Number	09/256,156
	Filing Date	February 24, 1999
	First Named Inventor	Gillies
	Group Art Unit	1647
	Examiner Name	R. B. Kapust
	Attorney Docket No.	LEX-003

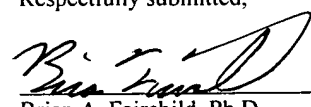
ENCLOSURES (check all that apply)


<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of Second SIDS Citations (A55-94; B83-B105; C143-C235) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>)
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CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
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High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

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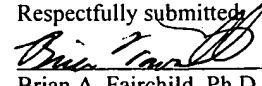
Respectfully submitted,

Date: March 9, 2004
Reg. No. 48,645
Tel. No.: (617) 248-7697
Fax No.: (617) 248-7100
Brian A. Fairchild, Ph.D.
Attorney for Applicant(s)
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110



Complete if Known	
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FEE TRANSMITTAL

FY 2004

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																							
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity Fee (\$)</th> <th style="width: 15%;">Small Entity Fee (\$)</th> <th style="width: 45%;">Fee Description</th> <th style="width: 25%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2010</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr> <tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>770</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td>110</td><td>55</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td colspan="3">Other fee (Specify)</td><td></td></tr> <tr><td colspan="3">Other fee (Specify)</td><td></td></tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.																																																																																											
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100				Respectfully submitted,  Date: March 9, 2004 Reg. No.: 48,645 Tel. No.: (617) 248-7697 Fax No.: (617) 248-7100 Brian A. Fairchild, Ph.D. Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110																																																																																							



PATENT
Attorney Docket No. LEX-003 (4006/14)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gillies *et al.*
SERIAL NO.: 09/256,156 GROUP NO.: 1647
FILING DATE: February 24, 1999 EXAMINER: R. B. Kapust
TITLE: Enhancing the Circulating Half-Life of Antibody-Based Fusion Proteins

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

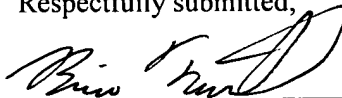
Applicants believe no additional fee is required for entry and consideration of this paper. If an additional fee is required, please charge Deposit Account 20-0531.

Date: March 9, 2004
Reg. No. 48,645

Tel. No.: (617) 248-7697
Fax No.: (617) 248-7100

3030529

Respectfully submitted,



Brian A. Fairchild, Ph.D.

Attorney for Applicant(s)

Testa, Hurwitz, & Thibault, LLP

High Street Tower

125 High Street

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FORM PTO - 1449

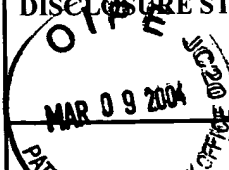
SECOND SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: LEX-003

APPLICANT(S): Gillies *et al.*

SERIAL NO.: 09/256,156

FILING DATE: February 24, 1999 GROUP: 1647



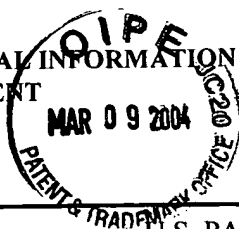
U.S. PATENT DOCUMENTS

EXAMINER INIT.	TRADEMARK INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
/		A55 4,703,008	10/27/87	Lin			
/		A56 5,019,368	5/28/91	Epstein et al.			
/		A57 5,441,868	8/15/95	Lin			
/		A58 5,457,038	10/10/95	Trinchieri et al.			
/		A59 5,547,933	8/20/96	Lin			
/		A60 5,618,698	4/8/97	Lin			
/		A61 5,645,835	7/8/97	Fell, Jr. et al.			
/		A62 5,688,679	11/18/97	Powell			
/		A63 5,756,349	5/26/98	Lin			
/		A64 5,807,715	9/15/98	Morrison et al.			
/		A65 5,856,298	1/5/99	Strickland			
/		A66 5,888,772	3/30/99	Okasinski et al.			
/		A67 5,922,685	7/13/99	Rakhmilevich et al.			
/		A68 5,955,422	9/21/99	Lin			
/		A69 6,231,536	5/15/01	Lentz			
/		A70 6,284,536	9/4/01	Morrison et al.			
/		A71 6,335,176	1/1/02	Inglese et al.			
/		A72 6,340,742	1/22/02	Burg et al.			
/		A73 6,348,192	2/19/02	Chan et al.			
/		A74 6,444,792	9/3/02	Gray et al.			
/		A75 6,475,717	11/5/02	Enssle et al.			
/		A76 6,485,726	11/26/02	Blumberg et al.			
/		A77 6,506,405	1/14/03	Desai et al.			
/		A78 6,583,272	6/24/03	Bailon			
/		A79 6,586,398	7/1/03	Kinstler et al.			
/		A80 6,617,135	9/9/03	Gillies et al.			

EXAMINER

DATE CONSIDERED

FORM PTO - 1449

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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
/	A81	2001/0053539	12/20/01	Lauffer et al.			
/	A82	2002/0081664	6/27/02	Lo et al.			
/	A83	2002/0142374	10/3/02	Gallo et al.			
/	A84	2002/0147311	10/10/02	Gillies et al.			
/	A85	2002/0192222	12/19/02	Blumberg et al.			
/	A86	2002/0193570	12/19/02	Gillies et al.			
/	A87	2003/0003529	1/2/03	Bayer			
/	A88	2003/0044423	3/6/03	Gillies et al.			
/	A89	2003/0049227	3/13/03	Gillies et al.			
/	A90	2003/0105294	6/5/03	Gillies et al.			
/	A91	2003/0012789	1/6/03	Blumberg et al.			
/	A92	2003/0157054	8/21/03	Gillies et al.			
/	A93	2003/0166163	9/4/03	Gillies			
/	A94	2003/0166877	9/4/03	Gillies et al.			

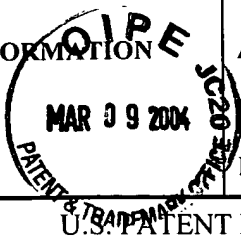
FOREIGN PATENT DOCUMENTS

EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
/	B83	0 318 554 B1	6/7/89	EP					Y
/	B84	0 640 619 A1	3/1/95	EP					Y
/	B85	0 668 353 A1	8/23/95	EP					Y
/	B86	1 088 888 A1	4/4/01	EP					Y
/	B87	WO 94/24160	10/27/94	PCT					Y
/	B88	WO 94/25055	11/10/94	PCT					Y
/	B89	WO 99/60128	11/25/99	PCT					Y
/	B90	WO 99/66054	12/23/99	PCT					Y
/	B91	WO 00/24893	5/4/00	PCT					

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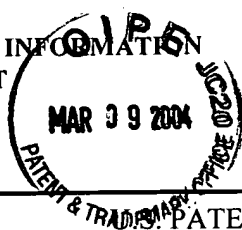
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EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
/	B92	WO 00/68376	11/16/00	PCT		Y
/	B93	WO 00/78334	12/28/00	PCT		Y
/	B94	WO 01/10912	2/15/01	PCT		Y
/	B95	WO 01/36489	5/25/01	PCT		Y
/	B96	WO 01/58957	8/16/01	PCT		
/	B97	WO 02/02143	1/10/02	PCT		
/	B98	WO 02/066514	8/29/02	PCT		Y
/	B99	WO 02/072605	9/19/02	PCT		
/	B100	WO 02/079232	10/10/02	PCT		
/	B101	WO 02/079415	10/10/02	PCT		
/	B102	WO 02/090566	11/14/02	PCT		
/	B103	WO 03/015697	2/27/03	PCT		Y
/	B104	WO 03/048334	6/12/03	PCT		
/	B105	WO 03/077834	9/25/03	PCT		Y
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)					
/	C143	Afonso et al., (1994), "The Adjuvant Effect of Interleukin-12 in a Vaccine Against Leishmania Major," <u>Science</u> , 263:235-237.				
/	C144	Angal et al., (1993), "A Single Amino Acid Substitution Abolishes the Heterogeneity of Chimeric Mouse/Human (IgG4) Antibody," <u>Molecular Immunology</u> , 30(1):105-108.				
/	C145	Becker et al., (1996), "An Antibody-Interleukin 2 Fusion Protein Overcomes Tumor Heterogeneity by Induction of a Cellular Immune Response," <u>Proc. Natl. Acad. Sci.</u> , 93:7826-7831.				
/	C146	Becker et al., (1996), "Long-lived and Transferable Tumor Immunity in Mice after Targeted Interleukin-2 Therapy," <u>J Clin Invest.</u> , 98(12):2801-2804.				
/	C147	Becker et al., (1996), "T Cell-mediated Eradication of Murine Metastatic Melanoma Induced by Targeted Interleukin-2 Therapy," <u>J Exp. Med.</u> , 183(50):2361-6.				
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ATTORNEY DOCKET NO.: LEX-003

APPLICANT(S): Gillies *et al.*

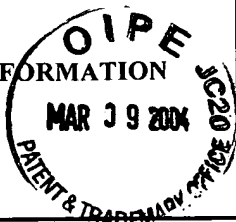
SERIAL NO.: 09/256,156

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/	C150		Boissel et al., (1993), "Erythropoietin Structure-Function Relationships: Mutant Proteins that Test a Model of Tertiary Structure," <u>The Journal of Biological Chemistry</u> , 268(21):15983-15993.			
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/	C152		Buchli et al., (1993), "Structural and Biologic Properties of a Human Aspartic Acid-126 Interleukin-2 Analog," <u>Archives of Biochemistry and Biophysics</u> , 307(2):411-415.			
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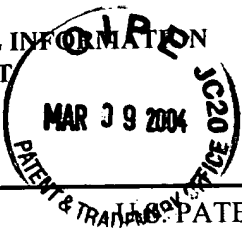
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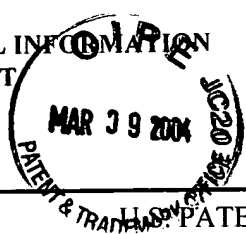
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/		C194		Macdougall, (2002), "Optimizing the Use of Erythropoietic Agents—Pharmacokinetic and Pharmacodynamic Considerations," <u>Nephrol. Dial. Transplant.</u> , 17:66-70.			
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APPLICANT(S): Gillies *et al.*

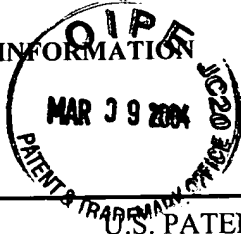
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